

EQUALITY BEFORE THE LAW.

SPEECH OF THE HON. CHARLES SUMNER, ON HIS SUPPLEMENTARY CIVIL RIGHTS BILL, AS AMENDMENT TO THE AMNESTY BILL, IN THE SENATE, JAN. 15, 1872.

Mr. President, Slavery, in its original pretension, reappears in the present debate. Again the barbare tyrant stalks into this Chamber, denying to a whole race the equal rights promised by a just citizenship. Some here thought Slavery dead. This is a mistake. Not in body, at least in spirit or as a ghost making in our country hideous, the ancient criminal yet lingers among us, insiting upon the continued degradation of a race. Poverty in man has ceased to exist. The human auction-block is departed. No human being can call himself master, with impious power to separate husband and wife, to sell the child from its parents, to shut out the opportunities of religion, to close the gates of knowledge and to rob another human being of his labor, and all its fruits. These guilty prerogatives are ended. To this extent the slave is free. No longer a chattel, he is a man justly entitled to all that is accorded by law to any other man.

Such is the irresistible logic of his position. Ceasing to be a slave he became a man, whose foremost right is Equality of Rights. The slave testifies; the slave votes. To this extent his equality is recognized.

EQUALITY BEFORE THE LAW.

But this is not enough. Much as it may seem compared with the past, when all was denied, it is too little, because all is not yet recognized. The denial of any right is a wrong that darkens the enjoyment of all the rest.

The new-made citizen is called to travel for business, for health, or for pleasure, but here his trials begin. The doors of the public hotel, which from the earliest days of our insiprudence have always opened hospitably to the stranger, close against him, and the public conveyances, which the common law declares equally free to all alike, have no such freedom for him. He

longs, perhaps, for repose and relaxation at some place of public resort, duly licensed by law, and here also the same adverse discrimination is made. With the anxiousness of a parent, seeking the welfare of his child, he strives to bestow upon him the necessities of education and takes him offensively to the common school, which without any act of Congress ought to be sumptuous. But

Parson Parsons states the rule strictly:

"It is the duty to receive all persons who offer to carry passengers or all reasonable expenses whenever they come to us and evenly to pay for their passage." This reads from the carriage of a servant or a carrier of goods, for a common passenger, on land or sea.

With this pernicious maxim, discrimination of laws for a passenger, if he have sufficient room and accommodations to a guest."

Mr. President, Slavery is our antagonist:

"The Oyer and Termer Grand Jury appeared yesterday before Judge Ingraham, and presented the following resolution:

"That the Board of Aldermen met yesterday,

at the marriage of Morris Levi and Eva Bucklin. He

omitted the word "obey," but commended the bride to be subject to her husband "in all things lawful and proper."

Capt. Bolt and Mr. Claton, first mate of the

English bark Albert the Good, were arrested Sunday

evening, for smuggling brandy on shore in the life-boat.

Two heads of lighter were seized on board the bark.

The run of the Third-ave. Savings Bank

failed to compel the institution to suspend payments. The bank is no longer besieged by depositors, but it has been intimated that the attempt will be renewed within a few days.

Dr. Moreau Morris reports that for the week

ending on Saturday, 83 cases of small-pox and 20 deaths

were reported. The number of cases reported from Friday noon to Sunday night was 29, and 10 deaths for 49 hours ending at noon yesterday.

Wm. M. Tweed up to a late hour last night

had not gone to Albany. He spent the day at his office

on Union street, and seemed cheerful and almost contented, but a gentleman who knows him decries the

whole of his conduct, and makes the repetition of

the well-known case of Frederick Douglass, who was recently excluded from the supper-table, where

his brother Commissioners were already seated, on behalf

of the mail steamer of the Foreign Minister, before

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COMMON SCHOOLS.

The common school falls naturally into the same category. Like the other, it must be open to all or its designation is a misnomer and a mockery. It is not a school, for whites or a school for blacks, but a school for all; in other words a common school. Much is implied in this term, according to which the school harmonizes with the school and its higher character. Its object is the education of the young, and it is sustained by taxation to which all contribute. It is easy to see that the separate school founded on an odious discrimination and some one's right to an education, the common school is an ill-disguised violation of the principles of equality, while as a pretended equivalent it is an utter failure, and instead of a parent is only a church step-mother.

The separate school wants the first respectability, the common school the second. The former is open to all and since this is inconsistent with the declared rule of republican institutions, such a school is not republican in character. Therefore it is not a preparation for the democratic, but a preparation for the aristocratic, and for, he who is trained under the ban of inequality, how can he grow up to the status of equal citizenship? He is pinched and dwarfed, while the stigma of color is stamped upon him. The school which is the school of sin, the school of heresy, it directed against you or your child. Nor is separation without evil to the whites. The prejudice of color is nursed when it should be stilled. The Pharisaism of race becomes an element of character, while like other Phariseons, it should be cast out. Better than any language is a kindly nature and the sentiment of equality.

The common school is important in all; but to the common child it is especially so. I demand that the common school should not be neglected, but that its teachers and means of instruction are the best possible, and the colored child will have the benefit of this watchfulness. This decisive consideration completes the irresistible argument in favor of the common school, without distinction of color.

It is with humiliation that I feel bound to insist upon the same equality in all public schools, in all learning and sports, in all charges, and in the cost of repairs of the dead. How strange that any institution of learning or science, any church, or any cemetery, should set up a discrimination to utterly inconsistent with our great principle! I do not find that only recently a colored officer of the National army was treated with impunity to those of another skin. This denial is measurable, not only from the rank but the character of the system.

THE GREAT ISSUE OF THE WAR.

All this has additional force when it is known that this very claim and self-evident truth declared by our fathers was the great bone of the war, and was so recognized by leaders on both sides.

Behind the embattled scenes were ideas, and the ideas on our side was Equality

as far as which men are created equal; the Rebels

as inequality. The idea was your right to be equal.

I express this as a gradation to republican institutions. Sir, in its fundamental axiom, Equality is not only the first of rights, it is an axiom of

assaults to all.

THE CASE OF THE HON. CHARLES SUMNER.

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